

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
N/S High Meadow Road, 875 ft.
E of c/l Homevale Road
232 High Meadow Road
4th Election District
3rd Councilmanic District
William C. Hartel, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-40-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open projection (carport) with a setback of 2 ft. from property line in lieu of the required 7.5 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of Sept. 1991 that the Petition for a Zoning Variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open projection (carport) with a setback of 2 ft. from property line in lieu of the required 7.5 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

Robert Haines
ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 9/23/91
By *Ch. Haines*

JRH/mmh

-2-

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 301.1 to allow an open projection (carport) with a setback of 2' from property line in lieu of the required 7.5'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (indicate hardship or practical difficulty): *practical difficulty - these roof needs to be extended to the side property line in order to have protection from the elements when getting into the car. Mrs. Hartel is disabled and consequently it is a lengthy procedure for her to get in & out of the car.*

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners:

(Type or Print Name)

Signature

Address

Attorney's telephone number

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

City/State/Zip Code

ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of June, 1991, that the subject matter of this petition be posted on the property on or before the 18th day of June, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY



A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of June, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 18th day of June, 1991, at 10:00 a.m.



ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 232 High Meadow Road, Reisterstown, Maryland 21136 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

practical difficulty - Due to Mrs. Hartel's disability, it is a lengthy procedure for her to enter or exit her car. During inclement weather, it is particularly difficult. A roof extension would minimize, or eliminate, the problem.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)

Affiant (Printed Name)

Affiant (Handwritten Signature)

Affiant (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of June, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William C. + Frieda Hartel

The Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

29 June, 1991

DATE

Jeffrey Arison

NOTARY PUBLIC

My Commission Expires: 8/1/94

W.T. SADLER SURVEYORS

Phone (301) 526-5618

Property: 232 Highmeadow Road
Reisterstown, Md. 21136

ZONING DESCRIPTION

Beginning at a point on the north side of Highmeadow Road which is 50 feet wide at the distance of 874.79 feet east of the centerline of the nearest improved intersecting street, known as Homevale Road which is 50 feet wide. Being lot #12, block J, on plat six Chartley as recorded in Baltimore County plat book W.J.R. 26 Folio 107, containing 10,210 square feet of land. Also known as 232 Highmeadow Road and located in the fourth election district.

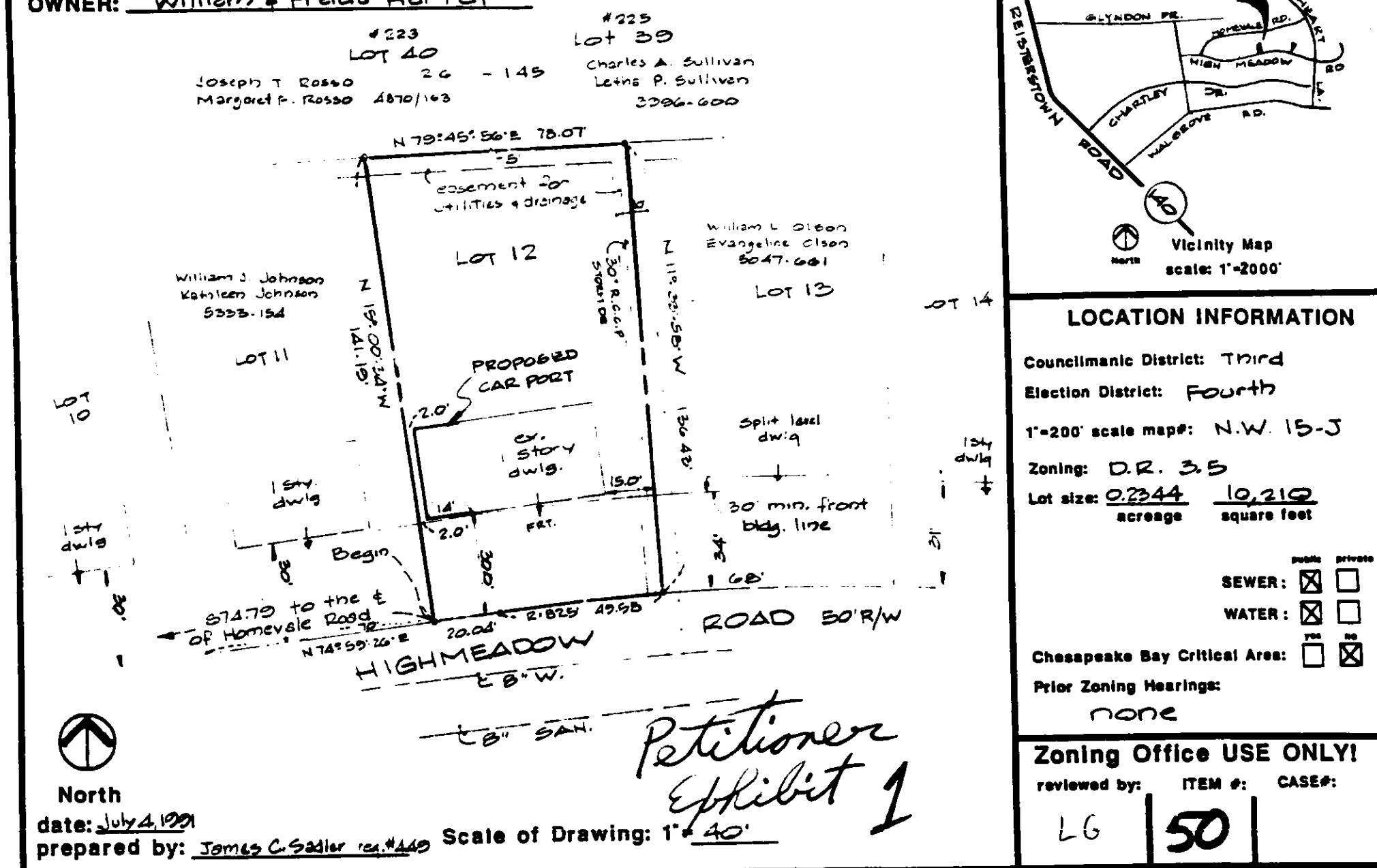
Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 232 Highmeadow Road

Subdivision name: Chartley

plat book 26, folio 107, lot 12, section 31617

OWNER: William + Frieda Hartel



LOCATION INFORMATION

Councilmanic District: Third

Election District: Fourth

1"=200' scale map: N.W. 15-J

Zoning: D.R. 3-5

Lot size: 22244 square feet

10,210 square feet

SEWER: ☒ WATER: ☒

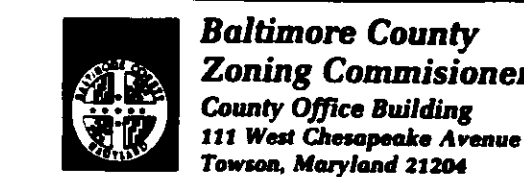
Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: none

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

LG 50



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 8/05/91

Account: R-001-6150

Number

H9200050

PAID PER HAND-WRITTEN
RECEIPT DATED 8/2/91

Public Hearing Fees

010 - ZONING VARIANCE (IRL)

080 - POSTING SIGNS / ADVERTISING

LAST NAME OF OWNER: HARTEL

QTY PRICE

1 X \$35.00

1 X \$25.00

TOTAL: \$60.00

Please Make Checks Payable To: Baltimore County

Seal Validation

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
August 20, 1991

Mr. & Mrs. William C. Hantel
232 High Meadow Road
Reisterstown, MD 21136

RE: Item No. 50, Case No. 92-40-A
Petitioner: William C. Hantel
Petition for Residential Variance

Dear Mr. & Mrs. Hantel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
August 20, 1991

Your petition has been received and accepted for filing this
26th day of July, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: William C. Hantel, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 16, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Walker Property, Item No. 505
Parsons Property, Item No. 9
Donovan Property, Item No. 10
Wolf Property, Item No. 17
Pearson Property, Item No. 19
Stifler Property, Item No. 22
Felts Property, Item No. 24
Melchor Property, Item No. 25
Faulkner Property, Item No. 27
McJilton Property, Item No. 32
Horne Property, Item No. 33
Elsnic Property, Item No. 38
Munroe Property, Item No. 39
Copeland Property, Item No. 42
Eckert Property, Item No. 44
Hartel Property, Item No. 50
Gimbel/Gaffney Property, Item No. 51

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

NUMEROUS.ITM/ZAC1

Baltimore County Government
Fire Department
700 East Joppa Road, Suite 901
Towson, MD 21204-5500
August 2, 1991 (301) 887-4500

Arnold Jablon,
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAM C. HANTEL

Location: #232 HIGH MEADOW ROAD

Item No.: #50 Petition Received: AUGUST 13, 1991

Certification:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *Capt. Jeff Kelly 8-4-91* Noted and
Signed: *Jeff Kelly* Approved
Special Inspection Division Fire Prevention Bureau

JE/MTT

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
August 8, 1991

William and Frieda Hartel
232 High Meadow Road
Reisterstown, MD 21136

Re: CASE NUMBER: 92-40-A
LOCATION: W/S High Meadow Road, 875' E of c/j Homevale Road
232 High Meadow Road

Dear Petitioner(s):

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 18, 1991. The closing date is September 3, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens
(301) 887-3391

cc: Coleman Homes, Inc.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
September 10, 1991

Mr. and Mrs. William C. Hartel
232 High Meadow Road
Reisterstown, Maryland 21136

RE: Petition for Residential Zoning Variance
Case No. 92-40-A

Dear Mr. and Mrs. Hartel:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Robert W. Bowling
Robert W. Bowling
Zoning Commissioner

JRB:mmn
encl.
cc: Peoples Counsel

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 20, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For August 13, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 29, 39, 50 and 51.

For Item 49, a County Review Group Meeting is required.

For Items 46 and 47, the previous County Review Group Comments are still applicable.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:g

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *11* Date of Posting: *8-15-91*
Posted for: *Residential Variance*
Petitioner: *William C. Hartel et ux*
Location of property: *232 High Meadow Road, Reisterstown, MD 21136*
Location of Sign: *232 High Meadow Road*
Remarks: *1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.*
Posted by: *1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.*
Date of return: *8-21-91*
Number of Signs: *1*

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: August 16, 1991

TO: Mr. Arnold Sablon, Director
Office of Zoning Administration
and Development Management

FROM: Stephen E. Weber

Z.A.C. MEETING DATE: August 13, 1991

This office has no comments for items number 29, 38, 47, 48, 50 and 51.


Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/lvd

CASE NUMBER

92-40-A

PETITIONER'S EXHIBIT # 2



#50

92-40-A